

SECOND REGULAR SESSION

SENATE BILL NO. 1084

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR FOSTER.

Read 1st time January 15, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

3761S.01I

AN ACT

To repeal section 169.596, RSMo, and to enact in lieu thereof one new section relating to the teacher retirement system.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 169.596, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 169.596, to read as follows:

169.596. 1. Notwithstanding any other provision of this chapter to the contrary, a retired certificated [teacher] **employee** receiving a retirement benefit from the retirement system established pursuant to sections 169.010 to 169.141 may, without losing his or her retirement benefit, [teach] **be employed** full time for up to two years for a school district covered by such retirement system; provided that the school district has a shortage of [certified teachers] **employees**, as determined by the school district. The total number of such retired certificated [teachers] **employees** shall not exceed, at any one time, the lesser of ten percent of the total [teacher] **certificated** staff for that school district, or five certificated [teachers] **employees**.

2. Notwithstanding any other provision of this chapter to the contrary, a person receiving a retirement benefit from the retirement system established pursuant to sections 169.600 to 169.715 may, without losing his or her retirement benefit, be employed full time for up to two years for a school district covered by such retirement system; provided that the school district has a shortage of noncertificated employees, as determined by the school district. The total number of such retired noncertificated employees shall not exceed, at any one time, the lesser of ten percent of the total noncertificated staff for that school district, or five employees.

3. The employer's contribution rate shall be paid by the hiring school district.

4. In order to hire teachers and noncertificated employees pursuant to the provisions

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

of this section, the school district shall:

(1) Show a good faith effort to fill positions with nonretired certificated teachers or nonretired noncertificated employees;

(2) Post the vacancy for at least one month;

(3) Have not offered early retirement incentives for either of the previous two years;

(4) Solicit applications through the local newspaper, other media, or teacher education programs;

(5) Determine there is an insufficient number of eligible applicants for the advertised position; and

(6) Declare a critical shortage of certificated teachers or noncertificated employees that is active for one year.

5. Any person hired pursuant to this section shall be included in the State Director of New Hires for purposes of income and eligibility verification pursuant to 42 U.S.C. Section 1320b-7.

Unofficial

Bill

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